

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5716 of 2022

Arising Out of PS. Case No.-276 Year-2021 Thana- KATIHAR NAGAR District- Katihar

Govind Rajak, Son of Late Gopal Rajak, Resident of Mohalla- Binodpur,
Durgapur, Dhobi Tola P.S. Katihar Nagar, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

In the present case, the petitioner seeks bail in
connection with Katihar Town P.S. Case No. 276 of 2021
registered for the alleged offence under Sections 341, 323,
354(B), 307, 302, 504/34 of the Indian Penal Code.

The prosecution case is that the petitioner and other
accused persons assaulted the informant, his daughter and wife,
as a result of which, the wife of the informant died.

It has been submitted by the learned counsel for the
petitioner that there is no specific allegation of assault against
the petitioner and only allegations are of assaulting with fists



and slaps against the petitioner. The wife of the informant died and specific allegation of assault is against the co-accused Kishan Rajak. The FIR has been registered after a delay of one day and the petitioner is in custody since 08.10.2021.

The learned APP has opposed the prayer of bail, submitting that due to assault by the co-accused including the petitioner, the wife of the informant died during treatment.

Having regard to the submissions made hereinabove and considering the fact that the specific allegation of assault causing death of wife of the informant is against co-accused Kishan Rajak, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Katihar Town P.S. Case No. 276 of 2021, subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner, preferably one of the parents.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence for three consecutive dates or in violation of the terms of the bail,



the bail bond of the petitioner will be liable to
be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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